

REMARKS

Claims 1 to 6, 8 to 10, 19 to 24, and 26 to 28 are pending in this application, of which claims 1 and 19 are the independent claims.¹ Favorable reconsideration and further examination are respectfully requested.

Initially, the method claims were rejected under §101 for allegedly not being directed to statutory subject matter. As shown above, the method claims now recite that they are performed on a processing device. Furthermore, independent claim 1 recites

changing the operative version in connection with changes to the simulation version, the operative version comprising third objects that are versions of the first objects that are changed in accordance with the second objects.

Thus, the method claims are (1) tied to a statutory class, and (2) transform underlying subject matter, namely changing objects, i.e., “third objects that are versions of the first objects that are changed in accordance with the second objects”. Accordingly, withdrawal of the §101 rejection is respectfully requested.

Independent claim 1 was rejected as follows:

Claims 1-15 and 19-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over “Microsoft Project 98 Support Course” (“MSP 1998”) in view of “Microsoft Project 2002: Training Courseware, Lesson 19: Earned Value” (“Chapter 19”) and “Microsoft

Project 2002: Training Courseware, Lesson 20: Multiple Projects” (“Chapter 20”), and further in view of Basford, “Earned Value Reporting for the Department of Energy.” 2

¹ The Examiner is urged to independently confirm this recitation of the pending claims.

² Office Action, pages 3 and 4

Independent claim 1 is shown below:

1. A method performed on a processing device, comprising:
storing a simulation version of a project baseline, the simulation version comprising first objects that define elements of the project baseline;
copying the simulation version to create an operative version of the project baseline;
changing the simulation version by associating second objects with the baseline objects, the first objects being separate from the second objects and the first objects not changing when the simulation version is changed;
changing the operative version in connection with changes to the simulation version, the operative version comprising third objects that are versions of the first objects that are changed in accordance with the second objects;
updating a portion of the project baseline that succeeds a time at which the operative version is changed; and
obtaining, via the changed operative version, an earned value for a project that corresponds to the updated project baseline.

The applied art is not understood to disclose or to suggest at least the features of claim 1 that are underlined above. In this regard, the MSP 1998 reference explains how Microsoft Project 98 incorporates the earned value concept into its system. MSP 1998, however, is written from the perspective of a user and does not address how its underlying data (e.g., objects) is stored and changed. Basford is written to explain the earned value concept for the department of energy. Basford likewise does not address how data associated with its process is stored and changed. Chapters 19 and 20, which relate to a Microsoft Project 2002 training course, are also written from the perspective of user and, therefore, suffer from deficiencies similar to the foregoing deficiencies of MSP 1998 and Basford. We note that, in Chapter 20, page 12 indicates that drawing objects are stored, and page 13 describes cross-project links. However, these features are not understood to render the foregoing features obvious.

Prior claims 5 to 7 were directed to, among other things, keeping a task added to a simulation version separate from previously-existing tasks, and to incorporating the task into an operative version. These claims were rejected as follows:

Claim 5: MSP 1998 discloses: augmenting the simulation version with a task; mapping the task to the operative version; and reformulating the operative version to account for the task prior to obtaining the earned value (see page 6-33; also note that Microsoft Project allows users to add tasks/projects and recalculate earned values).

Claim 6: MSP 1998 discloses wherein augmenting comprises adding the task to the simulation version but keeping the task separate from previously-existing tasks on the simulation version (see page 6-33; see also page 13 of Chapter 20).

Claim 7: MSP 1998 discloses wherein reformulating the operative version comprises incorporating the task into the operative version so that the project baseline is changed to accommodate the task (see page 6-33).

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The cited portions of MSP 1998 and chapter 20 are not understood to disclose or to suggest the foregoing features of claim 20. Page 6-33 of MSP 1998 recites:

³ Office Action, page 6

Earned Value from Inserted Projects

When an Inserted Project is opened or closed, updated total earned values fields from the Inserted Project are stored in the parent project.

The behavior of timephased earned value fields for an Inserted Project depends on whether it is open or closed.

- If an Inserted Project is closed in the parent project, then the Inserted Project does not display any timephased earned value data.

When you save a baseline in the parent project, the Inserted Project's total BCWS, and BCWP values are saved too. If there are any assignments on the Inserted Project task in the parent project, the assignment earned value data is saved, but assignment timephased earned value data is not displayed.

If you have not saved a baseline on the parent project, then BCWS, Baseline Cost and BCWP for the Inserted Project task are all 0 and cannot be displayed. Also, SV is zero, and CV = negative of ACWP, since $CV = BCWP - ACWP = 0 - ACWP = -ACWP$.

The Inserted Project's ACWP value is saved with the parent project, without having to save a baseline in the parent project. That's because ACWP does not depend on baseline values.

When an Inserted Project is open in the parent project, then it can get and display timephased earned value data. The earned value data coming from the Inserted Project uses the Inserted Project's Status date, *not* the parent project's status date.

While it is true that MSP 1998 allows a user to insert a project into a parent project, it says nothing whatsoever about objects for both projects, much anything approximating:

changing the simulation version by associating second objects with the baseline objects, the first objects being separate from the second objects and the first objects not changing when the simulation version is changed; and

changing the operative version in connection with changes to the simulation version, the operative version comprising third objects that are versions of the first objects that are changed in accordance with the second objects.

Page 13 of Chapter 20 describes an ability of a user to link tasks from one project to tasks in another project. We do not understand it to address changing simulation and operative versions in the manner claimed above. The text from page 13 is reproduced below. Should the Examiner disagree, the Examiner is respectfully requested to point out where the foregoing features are disclosed or suggested by that text (either alone or in combination with other art).

Cross-Project Links

Cross-project linking enables the user to link tasks in one project to tasks in another project.

Microsoft Project supports true cross-project linking. The user can include a path and filename in the Predecessor and Successor fields, followed by a slash and the usual relationship syntax.

For example, if C:\MyFiles\P1.mpp\24FS+3d is entered in the Predecessor field, then the predecessor has ID 24 in the file C:\MyFiles\P1.mpp, and the relationship is Finish-to-Start with 3 days of lag.

Cross-Project Linking Terminology

The term **internal** is used to describe those tasks that exist in a project. **External** relates to those tasks outside of a project. Use of either of these terms depends on the specific project in question. To avoid confusion, this discussion assumes the active project is the **internal** project unless stated otherwise.

When an **external** link is created in the active project, replicated tasks are created in both the **external** and active projects.

The term **ghost task** is used to refer to an **external** (replicated) task, however, an **external** task is not displayed with the **ghost task** formatting in the active project if the parent of the **external** task has been inserted into the active project.

One project gets an **external** successor task and the other gets an **external** predecessor task. When either project is displayed alone (for example, does not contain the other as an inserted project), the **external** task is displayed with special light gray ghost formatting so it can be easily distinguished from other tasks.

If an **external** task is displayed as a **ghost task** in the active project, it gets its own ID in the active project (not necessarily the same ID it has in its parent project). A predecessor **ghost task** is inserted just before the corresponding **internal** successor task, and a successor **ghost task** is inserted just after the corresponding **internal** predecessor task. However, if a **ghost task** representing the **external** task already exists, then that **ghost task** is used to represent the **external** task in all the relationships it may have with tasks in the active project. In other words, if two tasks in the active project both have the same **external** predecessor, there is only one **ghost task** representing that **external** task in the active project.

For at least the foregoing reasons, we believe that claim 1 is patentable over the applied art.

Independent claim 19 is a machine-readable medium claim that roughly corresponds to claim 1, and is also believed to be patentable.

Dependent claims are also believed to define patentable features. Each dependent claim partakes of the novelty of its corresponding independent claim and, as such, has not been discussed specifically herein.

Applicant : Kenneth Salwitz, et al.
Serial No. : 10/678,746
Filed : October 2, 2003
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It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, we respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

The undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at 617-521-7896.

Please apply any other required fees to deposit account 06-1050, referencing the attorney docket number shown above.

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Respectfully submitted,

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